



17W

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Richard D. Lohrman
Serial No. 10/763,636
Filed: January 22, 2004
Confirmation No.: 7715
Title: FILL-THROUGH CONTAINER AND CLOSURE PACKAGE
Attorney Docket: 17417
Group Art Unit: 3754
Examiner: M. A. Cartagena
In Response To: Notice of Allowance
Mailed May 13, 2005

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Diana Castillo
(Name of Person Making Deposit)

Diana Castillo
(Signature)

June 22, 2005
(Date)

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Concerning the recitation in claim 39 that the lid includes "means for permanent securement to said base permanently closing said opening in said base upon first movement to said closed position," the Examiner finds "implicit" support at "page 3, lines 6-12" of the application text. It is assumed that this citation is intended to refer to page 4, lines 6-12, and it is correct that the fitment 46 of the embodiment of FIGS. 1-3 would not normally be removed after securement in the position of FIG. 3.


However, as noted at page 23 of the Amendment mailed February 14, 2005, claim 39 is directed to the embodiment of FIGS. 11-12, and the quoted means-plus-function language is expressly supported at page 8, line 21 of the text.

Please charge any fees associated with this submission to Acct. No. 15-0875 (Owens-Illinois).

Respectfully submitted,

REISING, ETHINGTON,
BARNES, KISSELLE, P.C.

By



Robert C. Collins
Reg. No. 27,430
Telephone (248) 689-3500
Facsimile (248) 689-4071

RCC:dc
Enclosure